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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,052	09/16/2003	Steven A. Buhler	D/A2559Q	5481

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EXAMINER

SCHATZ, CHRISTOPHER

ART UNIT PAPER NUMBER

1733

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/665,052

Applicant(s)

BUHLER ET AL.

Examiner

Christopher T. Schatz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/28/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Objections*

1. Claim 3 is objected to because of the following informalities: applicant recites the limitation "wherein the adhesive becomes is a low viscosity adhesive." This appears to be a typographical error, and examiner recommends removal of the word "is." Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grazman et al. '510 in view of Gallagher et al. '274.

Grazman et al. discloses a method for bonding a porous material to a substantially non-porous material, said method comprising: supplying a substantially non-porous substrate 2 having a bonding surface and a plurality of substrate apertures 3, having an aperture width and an aperture depth (figures 2-4), dispensing an amount of adhesive onto the bonding surface to at least partially fill with adhesive at least a portion of the substrate apertures (column 3, lines 47-54), pressing a porous material 4 (column 3, lines 21-25) and the substantially non-porous material together at the bonding surface. The

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reference is silent as to whether said adhesive can function as a thermosetting adhesive such that said adhesive can be cured. Gallagher et al. discloses an adhesive capable of bonding a non-porous material to a porous material wherein said adhesive is the same adhesive as disclosed by Grazman. Gallagher et al. further discloses that modifying the adhesive such that said adhesive is thermosetting and curable is advantageous (column 1, line 48 – column 2, line 19). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the method disclosed by Grazman such that the adhesive is cured while a porous material remains in contact with a bonding surface as taught by Gallagher above.

As to claim 2, Grazman et al. discloses a method for bonding a porous material to a substantially non-porous material wherein the porous material and the substantially non-porous material are pressed together with enough force such that only a residue of adhesive remains on the bonding surface (figure 4, column 4, lines 40-44).

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Grazman et al. and Gallagher et al. as applied to claim 1 above, and in further view of Winkler '367.

Grazman et al. and Gallagher et al. disclose a method as stated in claim 1, but the references are silent as to a method wherein the adhesive becomes a low viscosity adhesive for at least a portion of the curing step. Examiner asserts, however, that it well known in the art that the viscosity of an adhesive will decrease with increasing temperature as exemplified by Winkler (column 1, lines 38-41, column 6, lines 21-22). Therefore, at the time of the invention it would have been obvious to a person of ordinary

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skill in the art modify the method disclosed by Grazman et al. and Gallagher et al. such that the adhesive becomes a low viscosity adhesive for at least part of the curing step.


### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Christopher T. Schatz** whose telephone number is 571-272-1456. The examiner can normally be reached on 8:00-5:30, Monday -Thursday, 8:00-4:30 Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine Copenheaver can be reached on 571-272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CTS

  
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